

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, May 20, 2010

10:00 AM

Board Room

Board of Commissioners

*Commissioner Frank Avila, Commissioner Patricia Horton, Chairman of Finance
Gloria Alitto Majewski, Commissioner Barbara J. McGowan, Vice-President Kathleen
Therese Meany, Commissioner Cynthia M. Santos, Commissioner Debra Shore,
Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien*

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 7 - Frank Avila; Gloria Alitto Majewski; Barbara J. McGowan; Kathleen Therese Meany; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Absent: 2 - Patricia Horton; and Cynthia M. Santos

Approval of Previous Board Meeting Minutes

A motion was made by Gloria Alitto Majewski, seconded by Mariyana T. Spyropoulos, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee on the Whole

A motion was made by Kathleen Therese Meany, seconded by Debra Shore, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 11:15 a.m. President O'Brien reconvened the regular board meeting to order

Finance Committee

Authorization

- 1 [10-0639](#) Authority to add Project 09-871-3S, Inverted Siphon Inspection, North Service Area, Stickney Service Area & Calumet Service Area to the Engineering Department Capital Improvements Program and the Capital Improvements Bond Fund, estimated cost of the project is \$3,050,000.00

 Approved

Procurement Committee

Report

- 2 [10-0626](#) Report of bid opening of Tuesday, May 4, 2010

 Published and Filed

- 3 [10-0638](#) Report of bid opening of Tuesday, May 11, 2010

Published and Filed

Authorization

- 4 [10-0617](#) Authorization to amend Board Order of January 7, 2010, regarding Authority to advertise Contract 10-681-11 Window Washing Services at Various Locations, estimated cost \$73,800.00, Account 101-66000/69000-612490, Requisitions 1289230 and 1293106

Approved

- 5 [10-0640](#) Authorization to amend Board Order of April 1, 2010 regarding authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$247,537.46, from an amount of \$229,610,728.74 to an amount not to exceed \$229,858,266.20, Account 401-50000-645650, Purchase Order 5000954, Agenda Item No. 28, File No. 10-0431

Approved

- 6 [10-0648](#) Authorization for payment to DuPage River/Salt Creek Workgroup (DRSCW) for 2010/2011 membership dues in an amount not to exceed \$61,005.00, Account 101-15000-612280

Approved

Authority to Advertise

- 7 [10-0616](#) Authority to advertise Contract 10-771-11 Underground Infrastructure Cleaning and Manhole Repairs in the North Service Area, estimated cost \$225,000.00, Account 101-67000-612600, Requisition 1301534

Approved

- 8 [10-0621](#) Authority to advertise Contract 10-825-11 Repair One 1,750 HP Synchronous Motor and Installation of One Motor Starting Line Reactor at the Calumet Water Reclamation Plant, estimated cost \$40,000.00, Account 101-68000-612650, Requisition 1301041

Approved

- 9 [10-0622](#) Authority to advertise Contract 10-728-11 Furnish, Deliver and Install Remote Telemetry Units at Unmanned Reservoirs, Pumping Stations and Aeration Stations in the North Service Area, estimated cost \$440,000.00, Account 101-67000-612650, Requisition 1301542

Approved

- 10 [10-0623](#) Authority to advertise Contract 10-780-11 Rehabilitation of Fine Bubble Diffuser Systems and Pumping Station Improvements in the North Service Area, estimated cost \$2,000,000.00, Account 401-50000-645750, Requisition 1255113

Approved

- 11 [10-0646](#) Authority to advertise Contract 11-404-11 Annual Maintenance, Repairing, Recharging, and Hydrostatic Pressure Testing of Portable Fire Extinguishers for a 36-Month Period, estimated cost \$107,400.00, Account 101-25000-612780, Requisition 1302506

Approved

- 12 [10-0647](#) Authority to advertise Contract 11-435-11 Maintaining Automatic External Defibrillators (AEDs), Complete with Accessories, at Various District Locations for a 36-Month Period, estimated cost \$60,000.00, Account 101-25000-612780, Requisition 1302507

Approved

- 13 [10-0657](#) Authority to advertise Contract 10-874-11 Furnish, Deliver and Erect a Pre-Engineered Steel Storage Building at the Calumet Water Reclamation Plant, estimated cost \$835,000.00, Account 401-50000-645680, Requisition 1299703

Approved

- 14 [10-0663](#) Authority to advertise Contract 10-726-11 Furnish and Deliver Instrumentation to the North Side Water Reclamation Plant, estimated cost \$72,000.00, Account 101-67000-623070, Requisition 1304562

Approved

Issue Purchase Order

- 15 [10-0624](#) Issue purchase order for Contract 10-678-11, Locksmith Services at Various Service Areas, Groups A and B, to Fullmer Locksmith Service, Inc., in an amount not to exceed \$90,000.00, Accounts 101-68000, 69000-612680, Requisitions 1289895 and 1293015

Approved

- 16 [10-0631](#) Issue purchase order and enter into an agreement with PerkinElmer, Inc., for Preventive Maintenance, Repair and Consumable Supplies for various PerkinElmer Instruments at various locations, in an amount not to exceed \$187,090.57, Accounts 101-16000-612970, 623570, Requisition 1303004

Approved

- 17 [10-0632](#) Issue purchase order and enter into an agreement with 233 Broadcast, LLC, for rental space on the 88th Floor of Willis Tower, located at 233 South Wacker Drive in Chicago, Illinois, for Communications Radio Repeater Equipment for a 5-Year period, from June 1, 2010 to May 31, 2015, in an amount not to exceed \$69,922.52, Account 101-69000-612330, Requisition 1298114 *(As Revised)*

Approved

- 18 [10-0643](#) Issue purchase order and enter into an agreement with EarthCam, Inc. for the renewal of communication and archiving services in an amount not to exceed \$17,876.80, Account 201-50000-612990, Requisition 1296506

Approved

- 19 [10-0652](#) Issue purchase order for Contract 10-602-11, Furnishing and Delivering Chain, Sprockets and Appurtenances to Various Service Areas, to Fairfield Service Company of Indiana, LLC, for Groups A, C, and E., in an amount not to exceed \$657,338.46, and to Allied-Locke Industries, Inc., Groups B and D, in an amount not to exceed \$145,724.00, Accounts 101-67000, 68000, 69000-623270, Requisitions 1286894, 1286897, 1286899, 1287623, and 1288643

Approved

- 20 [10-0662](#) Issue purchase order and enter into an agreement with Oracle America, Inc. for Computer Software and Hardware Maintenance, Integration and Software Support Services for the District's Enterprise (SAP) Servers, Laboratory Information Management System (LIMS) and Disaster Recovery Servers for a period of three (3) years, in an amount not to exceed \$839,923.74, Accounts 101-27000-601170, 612810, 612820, Requisition 1302101

Approved

- 21 [10-0665](#) Issue purchase order and enter into an agreement with Wiss, Janney, Elstner Associates, Inc., to Perform Annual Steel Pipe Wall Condition Assessment at the Mainstream Pumping Station, in an amount not to exceed \$23,300.00, Account 101-69000-612600, Requisition 1298100

Approved

Award Contract

- 22 [10-0636](#) Authority to award Contract 10-026-11 Furnish and Deliver PVC Pipe, Valves and Fittings to Various Locations for a One (1) Year Period, to Indelco Plastics Corporation, in an amount not to exceed \$46,815.03, Account 101-20000-623090

Approved

- 23 [10-0650](#) Authority to award Contract 10-614-11, Elevator Maintenance at Various Service Areas, Groups A and C, to Mid-American Elevator Company, Inc., in an amount not to exceed \$518,000.00, and Group B, to Universal Elevator Werks, in an amount not to exceed \$150,000.00, Accounts 101-67000, 68000, 69000-612600, 612680, Requisitions 1286850, 1289239, 1289262, 1289963, 1291983, and 1293077
- Approved**
- 24 [10-0651](#) Authority to award Contract 07-162-2S, Westdale Gardens Pumping Station & Force Main, Northwest 8A Extension A, Stickney Service Area, to Northwest General Contractors, Inc., in an amount not to exceed \$1,996,570.00, Account 401-50000-645600, Requisition 1279247
- Attachments:** [APP D 07-162-2S.pdf](#)
- Approved**
- 25 [10-0660](#) Authority to award Contract 10-925-11, Services to Perform Preventive Maintenance on Synchronous Motors at the Stickney Water Reclamation Plant, to Magnetech Industrial Services, Inc., in an amount not to exceed \$160,000.00, Account 101-69000-612600, Requisition 1291906
- Deleted by Executive Director**
- 26 [10-0664](#) Authority to award Contract 10-033-11, Furnish and Deliver Miscellaneous Air Filters to Various Locations, for a One (1) Year Period, Group A to Applied Industrial Technologies, Inc., in an amount not to exceed \$30,353.76, Groups B and D to Progressive Industries, Inc., in an amount not to exceed \$17,020.56, and Group C to Trane US, Inc., in an amount not to exceed \$3,183.24, Account 101-20000-623270
- Approved**

Increase Purchase Order/Change Order

- 27 [10-0613](#) Authority to decrease Contract 07-677-11 Overhead and Exterior Door Maintenance Services at Various Locations, to Builders Chicago Corporation, in an amount of \$14,196.84, from an amount of \$263,371.64 to, an amount not to exceed \$249,174.80, Account 101-68000-612680, Purchase Order 5000713
- Attachments:** [07-677-11-CO4.pdf](#)
- Approved**

- 28 [10-0630](#) Authority to decrease purchase order for Contract 08-105-11 to Furnish and Deliver Helicopter Service for a Two-Year Period, to Len Jablon Helicopters, Inc., in an amount of \$4,200.00, from an amount of \$28,202.50, to an amount not to exceed \$24,002.50, Account 101-16000-612330, Purchase Order 3048627

Attachments: [5.20.10 CO Len Jablen 08-105-11.pdf](#)

Approved

- 29 [10-0653](#) Authority to increase purchase order and amend agreement with Donnelly/Milhouse Joint Venture for professional engineering services for contract 03-822-2M, Elevator Improvement at Various District Facilities in an amount of \$59,756.50, from an amount of \$290,922.74 to an amount not to exceed \$350,679.24, Account 201-50000-601420 and 601440, Purchase Order 3028261

Attachments: [Attach 03-822-2M C.O.](#)

Approved

- 30 [10-0654](#) Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$198,085.39, from an amount of \$230,172,618.69, to an amount not to exceed \$230,370,704.08, Account 401-50000-645650, Purchase Order 5000954

Attachments: [Attach 07-220-3P C.O.](#)

Approved

- 31 [10-0661](#) Authority to increase Contract 04-299-2P Improvements to Aeration Batteries A, B, C, E1, and E2 at the Calumet Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen & Associates, L.L.C., in an amount of \$17,698.89, from an amount of \$20,613,004.29, to an amount not to exceed \$20,630,703.18, Accounts 101-50000-612650, 401-50000-645650 and 645750, Purchase Order 5000831

Attachments: [04-299-2P C.O.](#)

Approved

Budget & Employment Committee

Authorization

- 32 [10-0612](#) Authority to transfer 2010 departmental appropriations in the amount of \$100,000.00 in the Corporate Fund

Attachments: [05.20.10 Board Transfer BF5.pdf](#)

Approved

Engineering Committee

Report

- 33 [10-0659](#) Report on the status of the agreement entered into between the District and Hanson Material Service for the mining of the required "Rough Hole" for the Thornton Composite Reservoir (*Deferred from the May 6, 2010 Board Meeting*)

Attachments: [Hanson Material Estimating Mining Costs](#)
[Thornton North Quarry Mining Progress Update](#)

Published and Filed

- 34 [10-0670](#) Report on change orders authorized and approved by the Director of Engineering during the month of April 2010

Attachments: [2010 C.O.S](#)

Published and Filed

Industrial Waste & Water Pollution Committee

Authorization

- 35 [10-0609](#) Authority for the Board of Commissioners to Approve a Site Specific Variance from the Environmental Remediation Wastewater Ordinance for McCook Industrial Center II Site (*Deferred from the May 6, 2010 Board Meeting*)

A motion was made by Frank Avila, seconded by Kathleen Therese Meany, that this Agenda Item be Deferred. The motion carried by the following roll call vote:

Aye: 7 - Frank Avila, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 2 - Patricia Horton, Cynthia M. Santos

- 36 [10-0610](#) Recommendation for the Board of Commissioners to deny the request by Atotonilco #2, Inc. for the Facility Located at 1707 West 47th Street, Chicago, Illinois, for Review by the Board of Commissioners of the 2008 User Charge Liability Determination Made by the Director of Monitoring and Research - Appeal No. 10B-002

Deleted by Executive Director

Judiciary Committee

Report

- 37 [10-0629](#) The General Counsel Reports on the Settlement of Workers' Compensation Claims

Attachments: [Workers' Comp Settlements.PDF](#)

Published and Filed

Authorization

- 38 [10-0614](#) Authority to settle the Workers' Compensation Claim of David Robertson vs. MWRDGC, Case No. 10 WC 05481, Illinois Workers' Compensation Commission, in the sum of \$46,247.89, Account 901-30000-601090

Approved

- 39 [10-0615](#) Authority to settle the Workers' Compensation Claim of Scott Dickinson vs. MWRDGC, Claim No. 0200004570, Illinois Workers' Compensation Commission, in the sum of \$35,316.67, Account 901-30000-601090

Approved

Maintenance & Operations Committee

Reports

- 40 [10-0668](#) Report on change orders authorized and approved by the Director of Maintenance and Operations during the months of March and April 2010
(Deferred from the May 6, 2010 Board Meeting)

Attachments: [Change Orders for March - April 2010.pdf](#)

Published and Filed

Authorization

- 41 [10-0628](#) Authority to enter into an Intergovernmental Agreement with the Illinois Water and Wastewater Agency Response Network ("ILWARN") to participate in an Intrastate Mutual Aid and Assistance Program

Approved

Real Estate Development Committee

Authorization

- 42 [10-0618](#) Authority to commence statutory procedures for a 39-year lease on approximately 15.50 acres of improved District land located along the south bank of the Main Channel and west of Harlem Avenue in Chicago, Illinois, and c/k/a Main Channel Parcel Number 35.04 (*Deferred from the May 6, 2010 Board Meeting*)

Attachments: [05-20-10_Arceo Map.pdf](#)

Approved

- 43 [10-0620](#) Authority to grant a 1250' x 25' non-exclusive 25-year easement to the City of Des Plaines to construct, operate, maintain, repair, and remove a storm water sewer on District land located along the westerly section of Marshall Drive (extended) between Wille Road and Oakton Street in Des Plaines, Illinois, consideration shall be a nominal fee of \$10.00 (*As Revised*)

Attachments: [05-20-10_City of Des Plaines Map.pdf](#)

Approved

- 44 [10-0627](#) Authorize and approve the issuance of a 1-year permit to South Cicero Baseball Association, Inc. for the continued use of approximately 8 acres of District land for little league baseball on the vacant westerly portion of the Stickney Water Reclamation Plant, east of Ridgeland Avenue and south of 39th Street in Stickney, Illinois, consideration shall be \$10.00

Attachments: [05-20-10_South Cicero Baseball Map.pdf](#)

Approved

- 45 [10-0633](#) Authority to pay 2009 real estate taxes in the amount of \$445,630.96 for the Metropolitan Water Reclamation District of Greater Chicago's real estate located in Will County, Illinois, Account 101-30000-667130

Approved

- 46 [10-0634](#) Authority to pay 2009 real estate taxes in the amount of \$54,456.38 for Metropolitan Water Reclamation District of Greater Chicago's real estate located in Fulton County, Illinois, Account 101-30000-667130

Approved

- 47 [10-0635](#) Authority to pay 2009 real estate taxes in the amount of \$12,162.20 for Metropolitan Water Reclamation District of Greater Chicago's real estate located in DuPage County, Illinois, Account 101-30000-667130

Approved

- 48 [10-0644](#) Authority to issue a 9-month permit extension to SPI Petroleum, LLC to continue to use approximately 3.78 acres of District land located at 4801 South Harlem Avenue in Forest View, Illinois; Main Channel Parcel 37.11, consideration shall be \$109,582.00
- Approved**
- 49 [10-0666](#) Authority to amend and extend permit issued to the United States Army Corps of Engineers for an additional 6-months to construct, maintain, repair and remove warning signs on additional District land located along the east and west banks of the Chicago Sanitary & Ship Canal in Will County, Illinois, c/k/a Main Channel Parcels 18.03, 19.01 and 19.02, consideration shall be a nominal fee of \$10.00
- Approved**
- 50 [10-0667](#) Authority to issue a 2-year permit extension to CH2M Hill, Inc. to access District land to plan and conduct soil borings, surveying and other site-related activities in connection with District Contract 05-711-3P related to the design of pipelines to transport waste water from the Lemont Water Reclamation Plant, consideration shall be a nominal fee of \$10.00
- Attachments:** [05-20-10_CH2M Hill Map.pdf](#)
- Approved**

Stormwater Management Committee

Authorization

- 51 [10-0658](#) Request for approval of methodology for conducting Watershed Management Ordinance Economic Impact Study
- Approved**

Miscellaneous and New Business

Ordinance - Prevailing Wage Rate

- 52 [PWR10-001](#) Adoption of Prevailing Wage Act Ordinance PWR10-001 (*As revised*)
- Attachments:** [PWR ORDINANCE 2010.pdf](#)
 [PWR 10-001 BTL](#)
 [PWR 10-001 Cook County PWR June, 2010](#)
 [PWR 10-001 Fulton County PWR June, 2010](#)
- A motion was made by Gloria Alitto Majewski, seconded by Barbara J. McGowan, that this Prevailing Wage Rate Ordinance be Adopted. The motion carried by the following roll call vote:**

Aye: 7 - Frank Avila, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 2 - Patricia Horton, Cynthia M. Santos

Additional Agenda Items

- 53 [10-0671](#) Issue orders: (1) authorizing the General Counsel to negotiate with the City of Chicago for a lease on 33 acres of vacant land located at 2025 East 134th Street in Chicago and (2) authorizing the issuance of a 30-day permit to the City of Chicago's Department of General Services to conduct a Phase II environmental site investigation thereon. Consideration shall be \$10.00

Attachments: [05-20-10_City of Chicago Map.pdf](#)

Approved

- 54 [10-0672](#) Report on the 2009 Comprehensive Annual Financial Reports of the Metropolitan Water Reclamation District of Greater Chicago and of the Metropolitan Water Reclamation District Retiree Health Care Trust and the Actuarial Valuation Report of the Retiree Health Care Benefit Plan

Published and Filed

- 55 [10-0673](#) Issue a purchase order and enter into an agreement with Hinshaw and Culbertson LLP for the Civil Service Board of the Metropolitan Water Reclamation District of Greater Chicago, in an amount not to exceed \$40,000.00, Account 101-30000-601170 Requisition 1305895

Approved

Approval of the Consent Agenda with the exception of Items: 25, 35, 36, and 52

A motion was made by Gloria Alitto Majewski, seconded by Kathleen Therese Meany, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 7 - Frank Avila, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 2 - Patricia Horton, Cynthia M. Santos

Meeting Summary

Speakers

Charles Derringer, Thorn Creek Water Trails, expressed concerns regarding the Watershed Management Ordinance Economic Impact Study (Re: Stormwater Management Item# 51)

George Blakemore, concerned citizen, asked that the District conduct tracking reports on District vehicles. And, he requested that the District ensure that contractors are not utilizing undocumented workers (Re: Finance Item #54)

Summary of Requests

Frederick M. Feldman

Terrence J. O'Brien requested a status report of the drop shaft and sewer system (Re: Procurement Item# 17)

Keith Smith

Mariyana T. Spyropoulos requested an overview be conducted in order to consolidated software vendors if possible (Re: Procurement Item# 20)

Kenneth A. Kits

Mariyana T. Spyropoulos requested new anticipated completion dates for the contract (Re: Procurement Item# 34)

Frederick M. Feldman

Mariyana T. Spyropoulos requested a detailed report of real estate taxes that were previously challenged by the District (Re: Real Estate Item# 45)

Richard Lanyon

Debra Shore requested a status report by August for the departmental implementation of suggestions made in the CAFR. Also, requested a report on the tracking of District vehicles (Re: Finance Item# 54)

Richard Lanyon

Terrence J O'Brien requested a research of policy decisions that may have been previously passed regarding District vehicles (Re: Finance Item# 54)

Study Session

None

Announcements

Richard Lanyon announced that the science fair winners' presentation of certificates will be held at the next board meeting of June 3, 2010.

Board Letter Submission Dates

The next regular board meeting is scheduled for June 3, 2010, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: May 24, 2010

Date Board letters are due to the Executive Director: 1:00 p.m., May 27, 2010

Adjournment

A motion was made by Debra Shore, seconded by Mariyana T. Spyropoulos, that when the Board adjourns it adjourns to meet on Thursday, June 3, 2010, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 7 - Frank Avila, Gloria Alitto Majewski, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 2 - Patricia Horton, Cynthia M. Santos

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this May 20, 2010, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago
May 20, 2010